

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09-cr-211

UNITED STATES OF AMERICA,)
)
v.)
)
(2) ALAN PHILIP BELLANCA)

**FINAL ORDER AND JUDGMENT
CONFIRMING FORFEITURE**

THIS MATTER is before the Court on Motion (Doc. No. 130) of the United States of America for a Final Order and Judgment Confirming Forfeiture.

On July 28, 2011, this Court entered a Preliminary Order of Forfeiture (Doc. 114) against the following properties in which Defendant holds an interest subject to forfeiture under 21 U.S.C. § 853(p):

All assets in PENSCO Trust Company Account Number XX1MM, such account held in the name of Al Bellanca; and

All assets in Morgan Stanley SmithBarney Account Number XXX-X6492, such account held in the name of Alan Bellanca CGM IRA Custodian.

As reflected in the Declaration of Publication (Doc. 127-1), from August 17, 2011 through September 15, 2011, the United States published, via www.forfeiture.gov, notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and notice to all third parties of their right to petition the Court within sixty days from August 17, 2011, for a hearing to adjudicate the validity of any alleged legal interest in the property. In addition, in August of 2011, the Government sent, via United States Postal Service Certified Mail, Return Receipt Requested, notice of this forfeiture action to the last known addresses of Alan Bellanca and Jill Bellanca. The Government received signed return receipts signed and dated August 3, 2011. The Government also sent notice to the divorce attorney for Jill Bellanca and received a return receipt dated January 26, 2012. The time period in which

third parties may file petitions has passed and no third parties have filed petitions.

Consequently, in accordance with Rule 32.2(c)(2), the Court may now enter a Final Order and Judgment Confirming Forfeiture giving the United States clear title to the forfeited assets.

IT IS, THEREFORE, ORDERED THAT, the Preliminary Order of Forfeiture is confirmed as final and all right, title, and interest in the following property is therefore forfeited to the United States for disposition according to law:

All assets in PENSICO Trust Company Account Number XX1MM, such account held in the name of Al Bellanca; and

All assets in Morgan Stanley SmithBarney Account Number XXX-X6492, such account held in the name of Alan Bellanca CGM IRA Custodian.

The Federal Bureau of Investigation, United States Marshals Service, and/or other property custodian for the investigative agency is authorized to seize, maintain possession, liquidate and/or dispose of all specifically identified properties herein.

Signed: May 18, 2012



Robert J. Conrad, Jr.
Chief United States District Judge
